

Message Text

UNCLASSIFIED

PAGE 01 STATE 249038

10
ORIGIN SCSE-00

INFO OCT-01 ISO-00 L-03 H-02 CIAE-00 INR-07 NSAE-00 /013 R

DRAFTED BY SCA;SCS;EMARNOLD:JS

APPROVED BY SCA;SCS;LPMULLIN

----- 095868

R 070035Z OCT 76

FM SECSTATE WASHDC

TO AMCONSUL NICE

UNCLAS STATE 249038

E.O. 11652: N/A

TAGS: CDES:FR (GILBERT EDWIN)

SUBJECT: ESTATE OF EDWIN GILBERT

REF: NICE 449

1. DEPT APPRECIATES CONOFF'S RELUCTANCE TO REQUEST THAT HARRON TURN OVER GILBERT'S PERSONAL EFFECTS BUT DEPT NOT IN POSITION TO RELIEVE CONOFF OF ANY OF CONOFF'S DUTIES AND RESPONSIBILITIES IN CONSERVATION AND SETTLEMENT OF PERSONAL ESTATES OF DECEASED USC'S.

2. THEREFORE, UNLESS HARRON QUALIFIES ASLEGAL REPRESENTATIVE OF GILBERT'S ESTATE (AS DEFINED IN 22 USC 1175 (22 CFR 72.18 AND 7 FAM 444.2-1) CONOFF SHOULD REQUEST THAT HARRON TURN OVER GILBERT'S PERSONAL EFFECTS (AS DEFINED IN 22 CFR 72.28 AND 7 FAM 445) TO CONOFF FOR LEGAL DISPOSITION AS DEFINED IN 22 USC 1175. ONCE REC'D CONOFF SHOULD INVENTORY AND APPRAISE EFFECTS AND SUPPLY COPY OF INVENTORY OF EFFECTS TO MRS. GILBERT. MRS. GILBERT SHOULD BE REQUIRED TO SUBMIT DOCUMENTARY EVIDENCE OF ENTITLEMENT TO ESTATE AS DESCRIBED IN 22 USC 1175, 22 CFR 72.43, 72.44, AND 7 FAM 446, BEFORE CONOFF RELEASE EFFECTS TO HER OR ACCEPTS HER INSTRUCTIONS FOR DISPOSITION.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 249038

3. IF HARRON REFUSE TURN OVER EFFECTS UPON REQUEST, CONOFF MAY DEMAND ONLY THAT U.S. PPT BE SURRENDERED AS PROPERTY OF USG, AS CONOFF HAS NO ENFORCING POWER. REFUSAL SHOULD BE NOTED IN POST'S FILES AND MRS. GILBERT SO INFORMED AND SUPPLIED WITH LIST OF ATTYS AND SUGGESTION THAT SHE RETAIN LEGAL COUNSEL IN FRANCE IF SHE WISHES PURSUE CLAIM TO ESTATE.

4. UNDER CIRCUMSTANCES DESCRIBED IN REFTTEL, HARRON WOULD HAVE NO RIGHT TO RETAIN GILBERT'S EFFECTS UNDER

22 USC 1175 UNLESS SHE QUALIFIES AS LEGAL REP OF ESTATE. CONOFF SHOULD ALSO DETERMINE WHAT FRENCH LAW PROVIDES IN THESE CIRCUMSTANCES, BECAUSE THE EXTENT TO WHICH THE CONOFF CAN EXERCISE AUTHORITY AND CARRY OUT RESPONSIBILITIES UNDER U.S. STATUTES AND REGS IS IN ALL CASES SUBJECT TO THE CONSENT OF LOCAL AUTHORITIES OF THE FOREIGN COUNTRY CONCERNED. ROBINSON

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 07 OCT 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE249038
Document Source: CORE
Document Unique ID: 00
Drafter: JS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760378-0721
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761072/aaaackef.tel
Line Count: 79
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN SCSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 76 NICE 449
Review Action: RELEASED, APPROVED
Review Authority: izenbei0
Review Comment: n/a
Review Content Flags:
Review Date: 12 AUG 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 AUG 2004 by barnescd>; APPROVED <17 DEC 2004 by izenbei0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ESTATE OF EDWIN GILBERT
TAGS: CDES, FR, (GILBERT, EDWIN)
To: NICE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006